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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,631	11/30/2001	Ming-Chung Tang	LELI 3449	7132

321 7590 04/19/2006
SENNIGER POWERS
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

EXAMINER

GART, MATTHEW S

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/997,631	Applicant(s) TANG, MING-CHUNG	
	Examiner Matthew S. Gart	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 7-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Election/Restrictions

Claims 7-11 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/11/2006.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

The drawings were received on 11/30/2001. The Examiner accepts these drawings.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph.

Referring to claims 1-6. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 omits essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted element is at least, a step comprising actively accepting the inquiry about the word by the Internet server. Claim 1 discloses *inter alia*, “making an inquiry” and “after a Internet server accepts the inquiry”, but there is not an active step of accepting the inquiry.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shdictionary (PTO-892, Ref U) in view of Bailey (Patent Application Publication No. 2005/0004889).

Referring to claim 1. Shdictionary discloses a method for combining audio-video products with an on-line dictionary, said method is applied on the Internet, comprising the following steps:

- Making an inquiry about a word through the Internet by a user (Shdictionary: page 1, "keyword(s)"); and
- After a Internet Server accepting the inquiry, literal explanations (Shdictionary: page 1, "puma - noun"), illustrative sentences of the word (Shdictionary: page 1, "Puma soon turned his back on his tribe and left for New York to become a mercenary"), and relating demonstrative fragments of the audio-video products are provided to the user by a Dynamic Dictionary Database (Shdictionary: page 1, "Pronunciation").

Shdictionary does not expressly disclose a method of deciding whether to purchase the products on the Internet by the user. Bailey discloses a method of deciding whether to purchase products on the Internet by a user (Bailey: paragraph

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0009). Bailey discloses a method that involves receiving a search query from a user and identifying, within each of multiple item categories, a set of items that satisfy the query. The sets of items are then used to generate, for each of the multiple categories, a score that indicates a level significance or relevance of the category to the search. The scores may be based, for example, on the number of hits (items satisfying the query) within each category relative to the total number of items in that category, the popularity levels of items that satisfy the query, or a combination thereof.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the system of Shdictionary to have included the teachings of Bailey as discussed above in order to assist users in conducting online searches (Bailey: paragraph 0008). Bailey discloses a method that may be embodied alone or in combination within a search engine of an online merchant, an Internet search engine, or another type of search system (Bailey: paragraph 0008).

Referring to claim 2. Shdictionary in view of Bailey discloses a method according to claim 1 as indicated supra. Shdictionary further discloses a method wherein after the Internet Server accepting the inquiry, the Internet Server searches for the user's audio-video preferences in the Dynamic Dictionary Database, and then provides the user with the suitable literal explanations, the illustrative sentences of the word, and the demonstrative fragments of the audio-video products (Shdictionary: page 1 or page 2).

Referring to claim 3. Shdictionary in view of Bailey discloses a method according to claim 1 as indicated supra. Bailey further discloses a method wherein the after the Internet Server accepting the inquiry, the Internet Server searches for the user's

language level and audio-video preferences in the Dynamic Dictionary Database, and then provides the user with the suitable literal explanations, the illustrative sentences of the word, and the demonstrative fragments of the audio-video products (Bailey: paragraph 0041). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the system of Shdictionary to have included the teachings of Bailey as discussed above in order to display products that are user significant (Bailey: paragraph 0010).

Referring to claim 5. Shdictionary in view of Bailey discloses a method according to claim 1 as indicated supra. Shdictionary further discloses a method wherein the demonstrative fragments of the audio-video products are parts of commercial movies, soap dramas, or e-books (Shdictionary: page 1).

Referring to claim 6. Shdictionary in view of Bailey discloses a method according to claim 1 as indicated supra. Shdictionary further discloses a method wherein the user can directly click on a word at the browser page to inquiry the word (Shdictionary: page 1, "List of all Words").

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shdictionary (PTO-892, Ref U) in view of Bailey (Patent Application Publication No. 2005/0004889) in further view of Shuster (Patent Application Publication No. 2005/0097059).

Referring to claim 4. Shdictionary in view of Bailey discloses a method according to claim 1 as indicated supra. Shdictionary in view of Bailey does not expressly disclose a method wherein the user can get a tryout of the demonstrative fragments before purchasing the product. Shuster discloses a method wherein a user can get a tryout of a demonstrative fragments before purchasing a product (Shuster: paragraph 0009). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the system of Shdictionary in view of Bailey to have included the teachings of Shuster as discussed above in order increase enforcement of copyright laws (Shuster: paragraph 0011).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew S. Gart whose telephone number is 571-273-3955. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MSG
Primary Examiner
April 16, 2006